

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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BEST CARE REHABILITATION, INC.,

Plaintiff-Appellee,

v

ALLSTATE INSURANCE COMPANY,

Defendant-Appellant.

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UNPUBLISHED

March 20, 2007

No. 272395

Wayne Circuit Court

LC No. 05-527836-NO

Before: Markey, P.J., and Murphy and Kelly, JJ.

KELLY, J. (*concurring*).

I concur in the result reached by the majority, but only because I am compelled to do so pursuant to MCR 7.215(J)(1). But for the precedential effect of *Miller v Allstate Ins Co*, 272 Mich App 284; 726 NW2d 54 (2006), I would conclude that plaintiff is not authorized by MCL 500.3157 to “charge a reasonable amount for the products, services and accommodations rendered.”

/s/ Kirsten Frank Kelly